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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|  |                        |                   |
|--|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application No.        | 09/741,208        |
|  | Filing Date            | December 19, 2000 |
|  | First Named Inventor   | David Henzerling  |
|  | Group Art Unit         | 2876              |
|  | Examiner Name          | D. Hess           |
| Total Number of Pages in This Submission   | Attorney Docket Number | 42390P10397       |

| ENCLOSURES (check all that apply)  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached                             | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input checked="" type="checkbox"/> Amendment / Response                     | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert a Provisional Application                  | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request                | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer  | - Check in the amount of \$930   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund   | - Return Postcard  |
| <input type="checkbox"/> PTO/SB/08   | <input type="checkbox"/> CD, Number of CD(s)  |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | Remarks   |  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    |   |  |
| <input type="checkbox"/> Basic Filing Fee                                    |   |  |
| <input type="checkbox"/> Declaration/POA                                     |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Paul A. Mendonsa, Reg. No. 42,879<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature                                  |   |
| Date                                       | April 3, 2003   |

| CERTIFICATE OF MAILING/TRANSMISSION  |                 |      |               |
|--|-----------------|------|---------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: April 3, 2003 |                 |      |               |
| Typed or printed name  | Derek S. Watson |      |               |
| Signature  |                 | Date | April 3, 2003 |

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PTO/SB/17 (01-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 930.00

## Complete if Known

Application Number 09/741,208  
Filing Date December 19, 2000  
First Named Inventor David Henzerling  
Examiner Name D. Hess  
Group/Art Unit 2876  
Attorney Docket No. 42390p10397

## METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number 02-2666  
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 750      | 2001         | 375      | Utility filing fee     |          |
| 1002         | 330      | 2002         | 165      | Design filing fee      |          |
| 1003         | 520      | 2003         | 260      | Plant filing fee       |          |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

### 2. EXTRA CLAIM FEES

Total Claims  - 20\* =  X  =   
Independent Claims  - 3 =  X  =   
Multiple Dependent  =

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 84       | 2201         | 42       | Independent claims in excess of 3                         |          |
| 1203         | 280      | 2203         | 140      | Multiple Dependent claim, if not paid                     |          |
| 1204         | 84       | 2204         | 42       | **Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |   | (\$)     |

\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052                | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 2053                | 130      | 2053         | 130      | Non-English specification  |          |
| 1812                | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804                | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251                | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252                | 410      | 2252         | 205      | Extension for reply within second month                                    |          |
| 1253                | 930      | 2253         | 465      | Extension for reply within third month                                     |          |
| 1254                | 1,450    | 2254         | 725      | Extension for reply within fourth month                                    |          |
| 1255                | 1,970    | 2255         | 985      | Extension for reply within fifth month                                     |          |
| 1404                | 320      | 2401         | 160      | Notice of Appeal   |          |
| 1402                | 320      | 2402         | 160      | Filing a brief in support of an appeal                                     |          |
| 1403                | 280      | 2403         | 140      | Request for oral hearing   |          |
| 1451                | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453                | 1,300    | 2453         | 650      | Petition to revive - unintentional   |          |
| 1501                | 1,300    | 2501         | 650      | Utility issue fee (or reissue)   |          |
| 1502                | 470      | 2502         | 235      | Design issue fee   |          |
| 1503                | 630      | 2503         | 315      | Plant issue fee  |          |
| 1460                | 130      | 2460         | 130      | Petitions to the Commissioner  |          |
| 1807                | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806                | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                | 750      | 1809         | 375      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                | 750      | 2810         | 375      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                | 750      | 2801         | 375      | Request for Continued Examination (RCE)                                    |          |
| 1802                | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |              |          |  |          |

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 930.00

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type) Paul A. Mendonsa Registration No. 42,879 Telephone (503) 684-6200  
Signature [Signature] (Attorney/Agent) Date 04/03/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



PATENT APPLICATION

042390.P10397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

) April 3, 2003

David P. Henzerling

Serial No.: 09/741,208

) Group Art Unit: 2876

Filed: December 19, 2000

) Examiner: D. Hess

For: WIRELESS MUSIC DEVICE AND METHOD THEREFOR

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN  
ENVELOPE ADDRESSED TO:  
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Name of Assignee

[Signature]  
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4.3.03  
DATE

RESPONSE

HONORABLE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE,  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed October 3, 2002, please reconsider  
the above-identified patent application in view of the remarks below. Applicant  
would like to thank the Examiner for his efforts in identifying issues with this  
application.

Applicant believes the following is a complete response to the issues raised  
by the Examiner and that the following amendments and comments place the  
application into condition for allowance.

9/03  
S. Marley  
4-14-03

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